

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GREGORY COOPER

Plaintiff,

vs.

APACHE CORPORATION

Defendant

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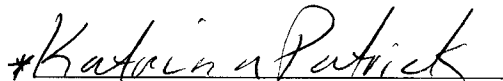
CIVIL ACTION NO. H-04-3363

**JOINT MOTION TO DISMISS WITH PREJUDICE**

All parties to this case now file this Agreed Motion to Dismiss With Prejudice. In support, they state as follows:

1. A settlement has been reached in this case.
2. Therefore, the parties respectfully request, in accordance with Rule 41(a)(2) of the Federal Rules of Civil Procedure, that the Court administratively dismiss this case. Such dismissal shall be with prejudice, with each party bearing its own attorney's fees and costs.
3. All parties are in agreement with this motion and request that the Court grant it.
4. A proposed Order is attached.

Respectfully submitted,



**Katrina S. Patrick**

State Bar No. 00797218

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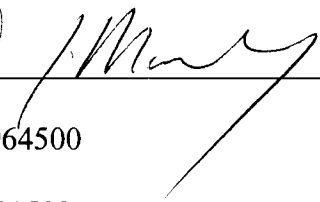
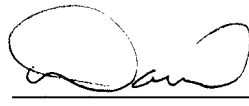
Houston, TX 77056

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**ATTORNEY FOR PLAINTIFF**

\*Signed w/permission



**M. Kaye DeWalt**

State Bar No.: 15964500

**David J. Manley**

State Bar No. 24001593

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Houston, Texas 77002

Telephone No.: (713) 750-3100

Facsimile No.: (713) 750-3101

**ATTORNEYS FOR DEFENDANTS**

### **CERTIFICATE OF SERVICE**

I do hereby certify that on this the 15<sup>th</sup> day of August 2005, a true and correct copy of the foregoing document was duly served upon all counsel of record and parties entitled to notice *via Facsimile and United States First Class Mail* and addressed to the following:

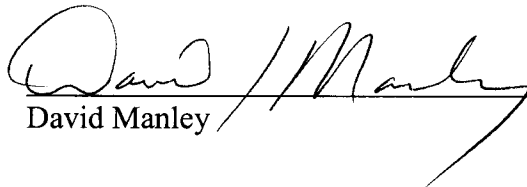
Katrina S. Patrick

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***Via Facsimile No.: (713) 212-0290***

***and Via CM/RRR No. 7003 1010 0004 5397 8932***



David Manley

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GREGORY COOPER

Plaintiff,

vs.

APACHE CORPORATION

Defendant

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CIVIL ACTION NO. H-04-3363

**ORDER**

The Court has considered the parties' Joint Motion to Dismiss With Prejudice. The Motion is GRANTED. It is therefore

ORDERED this case is dismissed, with prejudice, with each party bearing its own attorney's fees and costs.

It is so ORDERED on this \_\_\_\_ day of August 2005.

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Hon. Lee H. Rosenthal, U.S. District Judge